

HUNTON & WILLIAMS

HUNTON & WILLIAMS LLP
1751 Pinnacle Drive
Suite 1700
McLean, Virginia 22102

Tel 703 • 714 • 7400
Fax 703 • 714 • 7410

RECEIVED
CENTRAL FAX CENTER

JUL 25 2007

FAX

TO FIRM: Examiner Brian J. Gangle
U.S. Patent & Trademark Office
FAX NO.: 571-273-8300
PHONE NO.:

PAGES (INCLUDING COVER): 21
ORIGINAL TO FOLLOW IN MAIL: ☐ Yes ☒ No

FROM NAME: Kellie L. Carden, Reg. No. 52,696
FLOOR:
DIRECT DIAL: (703) 714-7470

MESSAGE Attached please find the following regarding U.S. Patent Application No. 10/564,264:

1. Response to Election/Restriction (6 pages);
2. International Preliminary Report on Patentability (PCT/US2004/021714) (7 pages)
3. Written Opinion of the International Searching Authority (PCT/US2004/021714) (6 pages)
4. Certificate of Transmission (1 page); and
5. Fax Cover Sheet (1 page).

IF PROBLEM WITH TRANSMISSION, PLEASE CONTACT OPERATOR AT 703 • 714 • 7500.

OPERATOR

DATE: July 25, 2007
TIME:
CLIENT/MATTER NAME:
CLIENT/MATTER NO.: 38523.000324

This communication is confidential and is intended to be privileged pursuant to the attorney-client privilege and the work-product doctrine. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service.

JUL 25 2007

PTO/SB/97 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Attorney Docket No. 38523.000324

Application Serial No: 10/564,264

Certificate Of Transmission Under 37 CFR § 1.111

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office

on July 25, 2007.

Date

Kellie L. Carden

Signature:

Kellie L. Carden for Robert M. Schulman,
Reg. No. 52,696 for 31,196

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

1. Response to Election/Restriction (6 pages);
2. International Preliminary Report on Patentability (PCT/US2004/021714) (7 pages)
3. Written Opinion of the International Searching Authority (PCT/US2004/021714) (6 pages)
4. Certificate of Transmission (1 page); and
5. Fax Cover Sheet (1 page).

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

PATENT
Attorney Docket No.: 38523.000324

Application Number : 10/564,264 Confirmation No.: 7366
Applicant : Laurie Anne Winter
Filed : March 7, 2006
Title : RECOMBINANT EXPRESSION OF STREPTOCOCCUS
PYOGENES CYSTEINE PROTEASE AND IMMUNOGENIC
COMPOSITIONS THEREOF
TC/Art Unit : 1645
Examiner: : Brian J. Gangle
Docket No. : 38523.000324
Customer No. : 21967

RECEIVED
CENTRAL FAX CENTER
JUL 25 2007

RESPONSE TO ELECTION/RESTRICTION

Commissioner of Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed June 25, 2007, Applicants hereby traverse the election requirement and request reconsideration and withdrawal of said election requirement.

SUMMARY OF ELECTION REQUIREMENT

The Examiner requires election of one of the following groups:

Group I, claim(s) 1-22, drawn to methods for expressing mature SpeB, using a polycistronic plasmid which comprises a polynucleotide encoding SpeB polypeptide and mature SpeB polypeptide.

Group II, claim(s) 23-29 and 70, drawn to methods for producing mature SpeB comprising expressing SpeB, solubilizing the polypeptide, refolding the polypeptide, and recovering the native mature SpeB.

Group III, claim(s) 30-34, drawn to methods of expressing mature SpeB polypeptide using a polycistronic plasmid comprising a polynucleotide encoding mature SpeB polypeptide and GroEL polypeptide.

Group IV, claim(s) 35-44, drawn to mature SpeB polypeptide.

Group V, claim(s) 45-49, drawn to methods of immunizing against *Streptococcus pyogenes* comprising administering mature SpeB polypeptide.

Group VI, claim(s) 50-52 and 65, drawn to polycistronic plasmids, and host cells comprising said plasmid, comprising polynucleotides encoding SpeB pro-polypeptide and mature SpeB polypeptide.

Application No. 10/564,264
Attorney Docket No. 38523.000324

Group VII, claim(s) 53-55 and 66, drawn to plasmids, and host cells comprising said plasmid, comprising polynucleotides encoding SpeB pro-polyptide and mature SpeB polypeptide.

Group VIII, claim(s) 56-58, 62-64, 67, and 39, drawn to polycistronic plasmids, and host cells comprising said plasmid, comprising polynucleotides encoding mature SpeB polypeptide and GroEL polypeptide.

Group IX, claim(s) 59-64, and 68-69, drawn to polycistronic plasmids, and host cells comprising said plasmid, comprising polynucleotides encoding mature SpeB polypeptide, GroEL polypeptide, and GroES polypeptide.

Group X, claim(s) 62-64, 69, and 71 drawn to polycistronic plasmids, and host cells comprising said plasmid, comprising polynucleotides encoding mature SpeB polypeptide and one or more of the polypeptides listed in claim 62.

The Examiner requires election of one of the following species within each named group:

Group I: BLR(DE3)
BLR(DE3)pLysS
AD494(DE3)
AD494(DE3)pLysS
BL21(DE3)
BL21(DE3)pLysS
BL21(DE3)pLysE
BL21(DE3)pLacI
BL21trxB(DE3)
BL21trxB(DE3)pLysS
HMS174(DE3)
HMS174(DE3)pLysS
HMS174(DE3)pLysE
Origami(DE3)
Origami(DE3)pLysS
Origami(DE3)pLysE
Origami(DE3)pLacI
OrigamiB(DE3)
OrigamiB(DE3)pLysS
OrigamiB(DE3)pLysE
OrigamiB(DE3)pLacI
Rosetta(DE3)